

1-4-02

DIVISIONAL-CONTINUATION APPLICATION TRANSMITTAL FORM
UNDER RULE 1.53(b) (former Rule 1.60)

| | | | | |
|--------------------|--|-----------|--|---|
| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION: | | PRIOR APPLICATION NUMBER: 08/816,371 | PRIOR APPLICATION FILING DATE: MARCH 13, 1997 |
| MTZ- 199CPCPACN | CLASS: | SUBCLASS: | EXAMINER: S. GUCKER | ART UNIT: 1647 |

COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
WASHINGTON, DC 20231

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: November 1, 2001Mailing Label Number: EL 745 888 506 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to **Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.**

Viriato G. Cardoso
 Name of Person Mailing Paper

Viriato G. Cardoso
 Signature of Person Mailing Paper

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior Application No. 08/816,371 filed on March 13, 1997 (CPA filed September 19, 2000) of Gerald E. Schneider, Dong Feng Chen, Susumu Tonegawa, and Sonal Jhaveri, entitled *Methods Of Controlling Axonal Growth*, which is a continuation-in-part of Application No. 08/713,423 filed on September 13, 1996, which claims priority to Provisional Application No. 60/021,713 as originally filed on July 12, 1996.

1. ☒ Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:

- ☒ 31 page(s) of specification
☒ 6 page(s) of claims
☒ 1 page(s) of abstract
☒ 2 sheet(s) of drawing
☒ 6 page(s) of declaration and power of attorney.

I hereby verify that the attached papers are a true copy of the prior complete application no. 08/816,371 as originally filed on March 13, 1997.

2. ☐ Small entity status under 37 CFR 1.9 and 1.27, is still proper and desired (37 CFR 1.28(a)).
3. ☒ The filing fee is calculated below:

| | NUMBER OF CLAIMS FILED | | | NUMBER EXTRA |
|--|---------------------------|-------|-------|-----------------|
| TOTAL | * 1 | MINUS | ** 20 | = 0 |
| INDEP. | * 1 | MINUS | *** 3 | = 0 |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS | | | | |

| SMALL ENTITY | |
|--------------|--------|
| RATE | FEE |
| x 9 = | \$0.00 |
| x 39 = | \$0 00 |
| +130 = | \$ 00 |
| BASIC FEE | \$ 00 |
| TOTAL | \$0.00 |

OR

| OTHER THAN A SMALL ENTITY | |
|------------------------------|----------|
| RATE | FEE |
| x 18 = | \$740.00 |
| x 78 = | \$ 00 |
| + 260 = | \$ 00 |
| BASIC FEE | \$ 00 |
| TOTAL | \$740.00 |

OR

4. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this communication, or credit any overpayment, to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.
5. ☒ A check in the amount of \$740.00 is enclosed for payment of the filing fee.
6. ☒ Cancel in this application original claims 2-60 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)
8. ☒ Amend the specification by replacing the first paragraph as follows:

Related Applications

This application is a continuation of application No. 08/816,371, filed on March 13, 1997 (CPA filed on September 19, 2000) (pending), which is a continuation-in-part of application No. 08/713,423, filed on September 13, 1996 (abandoned), which claims priority to provisional application No. 60/021,713, as originally filed on July 12, 1996. The contents of all of the aforementioned applications are hereby expressly incorporated by reference.

9. ☐ Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.)
10. ☐ Priority of application no. _____ filed on _____ in _____ is claimed under 35 U.S.C. §119.
- ☐ The certified copy has been filed in prior application no. _____ filed on _____.
- ☐ The certified copy will follow.
11. ☒ The prior application is assigned of record to Massachusetts Institute of Technology.
12. ☒ A Five-Month Extension of Time has been submitted in the parent application no. 08/816,371 in order to establish copendency with the present application. A copy of the request for extension of time is enclosed.
13. ☐ Also enclosed is/are _____
14. ☒ The power of attorney in the prior application is to Lahive & Cockfield, LLP.
- a. ☒ The power appears in the original papers in the prior application. Copies of the executed Declaration, Petition and Power of Attorney documents are enclosed herewith.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☐ A new power has been executed and is attached.
15. ☒ Address all future communications (May only be completed by applicant, or attorney or agent of record) to Elizabeth A. Hanley, Esq. at Customer Number: 000959 whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

10035476.100404

16. ☒ Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 12-0080.
15. ☐ Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application no. _____. Please use the computer readable form of application no. _____ in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application no. _____ are the same.

15. ☐ Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application no. _____. Please use the computer readable form of application no. _____ in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application no. _____ are the same.

November 1, 2001

Date _____

LAHIVE & COCKFIELD, LLP
28 State Street
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Tel. (617) 227-7400

Elizabeth A. Hanley
Registration No. 33,505
Attorney for Applicants